

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

JEFFREY S. GREIWE,

Movant,

Case No. 3:12-mc-11

-vs-

District Judge Walter Herbert Rice
Magistrate Judge Michael R. Merz

WATSON LABORATORIES, INC.
-- FLORIDA,

Respondent.

ORDER

This miscellaneous case was filed on May 21, 2012, seeking a court order quashing a subpoena duces tecum directed to the Movant, Jeffrey S. Greiwe and ordering him to appear for a deposition in Cincinnati, Ohio, on May 23, 2012. As a miscellaneous case raising discovery issues, it was automatically referred to a United States Magistrate Judge under this Court's General Order of Assignment and Reference (General Order DAY 12-03, available on the Court's website at www.ohsd.uscourts.gov.) The case was re-assigned to the undersigned at 12:25 p.m. today after Magistrate Judge Newman recused himself (Doc. No. 2.)

The Court is unable properly to consider and decide the Motion to Quash in the time remaining before the deposition is set at 9:00 A.M. tomorrow. Accordingly, it is hereby ORDERED:

1. The deponent's obligation to comply with the subpoena is stayed pending decision on the Motion to Quash.
2. If Watson Laboratories, Inc. – Florida wishes to defend the subpoena, it shall cause an attorney to enter an appearance on its behalf and file its memorandum in opposition to the

Motion to Quash, together with a completed return of service on the subpoena, not later than May 29, 2012.

3. If the Motion to Quash is opposed, Movant may file a reply memorandum in support not later than June 1, 2012.
4. Movant shall forthwith serve a copy of this Order by email on Joel Graham and file a certificate of such service with the Court.

May 22, 2012.

s/ **Michael R. Merz**
United States Magistrate Judge